

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1245 be amended to read as follows:

- 1 Page 5, delete lines 39 through 42, begin a new paragraph and
- 2 insert:
- 3 **"Chapter 42. Transit Development Districts**
- 4 **Sec. 1. This chapter applies only to units:**
- 5 **(1) that are not townships; and**
- 6 **(2) that are located within the boundaries of a regional transit**
- 7 **authority.**
- 8 **Sec. 2. As used in this chapter, "gross retail base period**
- 9 **amount" means the total amount of state gross retail and use taxes**
- 10 **remitted under IC 6-2.5 by the businesses operating in the territory**
- 11 **comprising a transit development district during the full state**
- 12 **fiscal year that precedes the date on which the transit development**
- 13 **district was established under section 5 of this chapter.**
- 14 **Sec. 3. As used in this chapter, "gross retail incremental**
- 15 **amount" means the remainder of:**
- 16 **(1) the total amount of state gross retail and use taxes that are**
- 17 **remitted under IC 6-2.5 by businesses operating in the**
- 18 **territory comprising a transit development district during a**
- 19 **state fiscal year; minus**
- 20 **(2) the gross retail base period amount;**
- 21 **as determined by the department of state revenue.**
- 22 **Sec. 4. As used in this chapter, "regional transit authority"**
- 23 **means an entity:**
- 24 **(1) that is eligible to receive federal transportation funding**

under Title 49 of the United States Code; and

(2) that is either:

(A) a regional transportation authority established under IC 36-9-3; or

(B) the northwest Indiana regional development authority established under IC 36-7.5-2-1.

Sec. 5. The fiscal body of a unit may adopt an ordinance to establish a transit development district. The ordinance creating a transit development district must specify the territorial boundaries of the district. The territorial boundaries of the district may not extend beyond the boundaries of the regional transit authority within which the unit is located.

Sec. 6. The fiscal body of a unit may adopt an ordinance to dissolve a transit development district that was created by the unit. However, the fiscal body of a unit may not adopt an ordinance to dissolve the transit development district under this subsection earlier than the date three (3) years after the date on which the ordinance creating the transit development district was adopted.

Sec. 7. Before the first business day in October of each year, the department of state revenue shall calculate the gross retail incremental amount for the preceding state fiscal year for each transit development district designated under this chapter.

Sec. 8. (a) The treasurer of state shall establish an incremental tax financing fund. The treasurer of state shall establish an account within the incremental tax financing fund for each transit development district designated under this chapter. The treasurer of state shall administer the fund. Money in the fund does not revert to the state general fund at the end of a state fiscal year.

(b) Subject to subsection (c), during each state fiscal year the department of state revenue shall deposit in the account established for a transit development district under subsection (a) the total amount of state gross retail and use taxes that are remitted under IC 6-2.5 by businesses operating in the transit development district, until the amount of state gross retail and use taxes deposited equals the gross retail incremental amount for the transit development district.

(c) Not more than five million dollars (\$5,000,000) may be deposited in a particular account established under subsection (a) for a transit development district over the life of the transit development district.

(d) On or before the twentieth day of each month, the treasurer of state shall distribute all amounts held in the account established under subsection (a) for a transit development district to the unit that established the transit development district for deposit in the transit development district tax increment fund established under section 9(a) of this chapter.

Sec. 9. (a) Each unit that establishes a transit development

1 district under this chapter shall establish a transit development  
2 district tax increment fund to receive money distributed to the unit  
3 under section 8 of this chapter.

4 (b) The fiscal body of a unit that creates a transit development  
5 district shall appropriate money deposited in the unit's transit  
6 development district tax increment fund to the regional transit  
7 authority whose boundaries contain the transit development  
8 district.

9 Sec. 10. (a) Except as provided in subsection (b), a regional  
10 transit authority shall use the funds appropriated to the regional  
11 transit authority under section 9(b) of this chapter for the purposes  
12 authorized by the statute under which the regional transit  
13 authority was established as referred to in section 4(2) of this  
14 chapter.

15 (b) Except as provided in subsection (c), each regional transit  
16 authority receiving an appropriation under section 9(b) of this  
17 chapter shall deposit twenty-five percent (25%) of each  
18 appropriation into the regional transportation authority formation  
19 fund established under IC 8-23-28-1.

20 (c) A regional transit authority is not required to make the  
21 deposit required under subsection (b) if the total of all deposits  
22 made by regional transit authorities under subsection (b) has  
23 reached one million dollars (\$1,000,000)."

24 Delete pages 6 through 7.

25 Page 8, delete lines 1 through 35.

(Reference is to HB 1245 as printed January 25, 2008.)

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Representative Austin